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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE DISTRICT OF ARIZONA
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8 Theodore Cush McDowell,

9 Petitioner,

10 vs.

11 Shelton Richardson, et al.,

12 Respondents.

No. CV11-0716 PHX DGC (MEA)

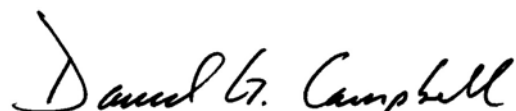
ORDER

13 Petitioner Theodore Cush McDowell has filed a petition for writ of habeas corpus
14 pursuant to 28 U.S.C. § 2254. Doc. 1. United States Magistrate Judge Mark E. Aspey
15 has issued a report and recommendation (“R&R”) recommending that the petition be
16 denied. Doc. 14. No objection has been filed, which relieves the Court of its obligation
17 to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*,
18 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir.
19 2003). The Court will accept the R&R and deny the petition.

20 **IT IS ORDERED:**

- 21 1. The R&R (Doc. 14) is **accepted**.
22 2. The petition for writ of habeas corpus (Doc. 1) is **denied**.
23 3. A certificate of appealability and leave to proceed *in forma pauperis* on
24 appeal are **denied**
25 4. The Clerk is directed to **terminate** this action.

26 Dated this 31st day of October, 2011.

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David G. Campbell
United States District Judge